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July 11, 2023

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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DAVID VANN,

PLAINTIFF,

-against-

Docket No.

18-cv-6464

THE CITY OF ROCHESTER, et al.,

DEFENDANT.

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VIDEOCONFERENCE

DATE: July 11, 2023

TIME: 11:14 A.M.

EXAMINATION BEFORE TRIAL of THE  
CITY OF ROCHESTER, by SERGEANT DANIEL J.  
ZIMMERMAN, the Defendant, taken by the  
Plaintiff, pursuant to Notice, before  
MARTHA TRIKAS, a Notary Public of the State  
of New York.

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(2)     **A P P E A R A N C E S:**

(3)

(4)     ROTH & ROTH, LLP

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THE CITY OF ROCHESTER LAW DEPARTMENT

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THE CITY OF ROCHESTER, et al.

(10)

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(11)

BY:   JOHN CAMPOLIEITO, ESQ.

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STIPULATIONS

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(3) IT IS HEREBY STIPULATED AND AGREED, by  
(4) and among counsel for the respective  
(5) parties hereto, that the filing, sealing,  
(6) and certification of the within deposition  
(7) shall be and the same are hereby waived;

(8) IT IS FURTHER STIPULATED AND AGREED  
(9) that all objections, except as to form of  
(10) the question, shall be reserved to the  
(11) time of the trial;

(12) IT IS FURTHER STIPULATED AND AGREED  
(13) that the within deposition may be signed  
(14) before any Notary Public with the same  
(15) force and effect as if signed and sworn to  
(16) before the Court.

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(1) D. ZIMMERMAN  
(2) dog. And that led to her being upset. And  
(3) Officers Hog and Prinsey performing the arm  
(4) bar takedown and arresting her.

(5) So with that background, my  
(6) question is: At any time before the  
(7) Cabisca decision in 2019, were you ever  
(8) taught that it might be unlawful to shoot  
(9) someone's dog?

(10) MR. CAMPOLIETO: Object to  
(11) form.

(12) A. No. I was never -- no.

(13) Q. In your thirty years as an  
(14) officer with the RPD, did you ever shoot a  
(15) dog?

(16) A. Yes.

(17) Q. How many dogs did you shoot?

(18) A. Approximately?

(19) Twenty-five.

(20) Q. You shot approximately  
(21) twenty-five dogs in your --

(22) A. Yes.

(23) Q. -- time as an RPD officer?

(24) A. Yes.

(25) You want me to explain?

(1) **D. ZIMMERMAN**

(2) Q. It's a lot of dogs.

(3) A. Uh-hum.

(4) Q. How about: When is the last  
(5) time that you shot a dog?

(6) A. When I was in narcotics.

(7) Before 1997. No, not 1997.

(8) My bad.

(9) Before 2010. Like summer in  
(10) the 2008, -9 range.

(11) Q. So basically between 1988 and  
(12) 2009 you shot twenty-five dogs.

(13) A. Yes.

(14) Q. All right.

(15) And the only other question I  
(16) have about this is: As a result of any of  
(17) those incidents where you shot a dog, were  
(18) you ever retrained or disciplined in any  
(19) way?

(20) A. No.

(21) Q. After the last time that you  
(22) shot a dog, has the RPD provided any  
(23) training regarding interaction with dogs  
(24) during police duty?

(25) A. No.